

COVID-19 Rates Financial Assistance

Date	2 November 2020
Council Resolution Date	23 November 2020
Clause Number	CCL20/190
Responsible Position	Chief Financial Officer
Branch	Financial Operations
Division	Organisational Performance
Version	2
TRIM Reference Number	ED20/206234
Review Period	4 Months
Review Date	22 March 2021
Consultation	Executive Leadership Team

Document Revision History	
Description	Date
COVID-19 Rates Financial Assistance Policy – ED20/62984	09 April 2020
Notes	

TITLE AND DURATION

This Policy shall be known as the COVID-19 Rates Financial Assistance Policy and will commence on Tuesday 10 November 2020 and shall remain in force until Monday 31 March 2021.

PURPOSE

Council has a legislative responsibility to maintain effective financial control over its operations. Council must ensure that monies owed are collected in a timely, efficient and effective manner in order to provide services to the community.

The purpose of this COVID-19 Rates Financial Assistance Policy is to provide an adopted framework detailing the Rate payment options and assistance available to Ratepayers if they are currently experiencing financial hardship due to the COVID-19 pandemic.

This Policy provides assistance with Rate payments only and does not refer to any other debt or Fees/Charges payable to Council.

Related Legislation

- Local Government Act, 1993
- Local Government (General Regulation) 2005
- Privacy and Personal Information Protection Act, 1998

Related Documentation

- Council's Code of Conduct
- Council's Revenue Policy
- Council's Debt Management and Financial Hardship Policy
- Office of Local Government Debt Management and Hardship Guidelines, November 2018

DEFINITIONS

To assist in interpretation, the following definitions apply:

Term	Definition
Act	Local Government Act 1993
Application	A submission made by a Ratepayer to be considered under the provisions of this Policy
Council	Dubbo Regional Council
Deferral	When payment in full will not be on the instalment due dates specified in the Local Government Act 1993 being 30 November 2020 and 28 February 2021
Interest	The fee charged by Council, expressed as a percentage, on Rates and Charges that remain unpaid after the due date
Interest Rate	Made in accordance with Section 566 of the Local Government Act 1993
Payment Arrangement	An agreement entered into by Council and a Ratepayer for the payment of outstanding Rates and Charges under the provisions of this Policy

Rates and Charges	Ordinary Rates and Annual Charges levied in accordance with the Local Government Act 1993
Ratepayer	The person liable for payment of Rates and Charges for the property in accordance with the Local Government Act, 1993

SCOPE

This Policy aligns with Council's existing Debt Management and Financial Hardship Policy. All Ratepayers who are experiencing longer term financial hardship are encouraged to make application for assistance under the Debt Management and Financial Hardship Policy.

This Policy applies to all Ratepayers, council staff, elected members of Council and contracted service providers.

This Policy does not confer any delegated authority upon any person. All delegations to staff are issued by the Chief Executive Officer in accordance with Section 378 of the Local Government Act 1993.

The specific provisions contained within the Local Government Act 1993 and associated Regulations must be adhered to when applying this Policy.

All Other Debts Other Than Rates

Council will only consider debts relating to Rates and Charges under this Policy, all other COVID-19 Financial Hardship related requests will be considered separate to this Policy and on a case by case basis.

OBJECTIVES

The total deferral of rate instalments due to an event like COVID-19 can cause a secondary bout of financial stress when the event has concluded and the deferred rate instalments become due and payable. Council's aim is to provide support to eligible Ratepayers with options for payment of rate instalments through the COVID-19 pandemic without creating additional financial stress when the pandemic has been resolved. This is assisted by an interest free period.

When undertaking an assessment of applications under this Policy, Council will be guided by the principles of:

- Equity – to ensure consistency, fairness, integrity and confidentiality of all proceedings for both Council and the Ratepayer.
- Engagement – Council is committed to engaging with Ratepayers.
- Transparency – ensuring obligations of Council's Ratepayers are clear in assisting them to meet their financial obligations.
- Financial Hardship – Council will assess COVID-19 rates financial assistance applications on an individual basis and will be courteous and respectful.

POLICY

Eligibility to Make an Application Under the Policy

- A Ratepayer who is receiving regular COVID-19 related income support:
 - JobSeeker Payment
 - JobKeeper Payment
 - Farm Household Allowance
- A landlord whose rental income has decreased by at least 30% from an existing tenancy agreement
- A business who qualifies for the JobKeeper payment
- Any other Federal Government COVID-19 specific support payments as determined by the Chief Financial Officer as being appropriate for the application of this Policy.

Supporting documentation of receiving any of the above will be required as part of the application process and must be submitted at the time of the application.

RATES, INTEREST CHARGES AND DEBT RECOVERY

Rate Instalments Due 30 November 2020 and 28 February 2021

This Policy provides for eligible Ratepayers to defer payment of the rate instalments due on 30 November 2020 and 28 February 2021 until 31 March 2021.

Council will encourage eligible Ratepayers to set up a payment arrangement with Council that is tailored specifically to the eligible Ratepayers' needs. The aim of the payment arrangement is to have the debt relating to the two rate instalment payments that are due on 30 November 2020 and 28 February 2021 paid in full by 31 March 2021. This will help to ensure that further debt shock is not experienced when these two rate instalments become due and payable together with future rate instalments.

Payment of these rate instalments may also be deferred in full until 31 March 2021 where a payment arrangement cannot be entered into.

Interest Charges on Overdue Rate Instalments 30 November 2020 and 28 February 2021

No interest will be charged on overdue instalments that are due on 30 November 2020 and 28 February 2021 to eligible Ratepayers for the period 1 December 2020 until 31 March 2021.

Outstanding balances as at the 1 April 2021 will under the current provisions of this Policy accrue interest at the prescribed rate.

DEBT RECOVERY

For approved Ratepayer applicant under this Policy debt recovery proceedings will be placed on hold from 1 December 2020 to 31 March 2021.

Council may make a reasonable attempt to contact a Ratepayer about an arrangement made under this Policy if required.

APPLICATIONS

Eligible Ratepayers requesting to access the COVID-19 Rates Financial Hardship Policy must submit an application that is available on Council's website or if unable to access Council's website by contacting Councils Customer Experience team for assistance. Ratepayers will be required to complete an application and provide supporting documentation to access the provisions of this Policy.

Should Ratepayers meet the eligibility criteria as detailed within this Policy and the application is accepted by Council the eligible Ratepayer will be notified by return email or in writing.

All COVID-19 Rates Financial Hardship applications will be assessed by Council and recommendations to the Chief Financial Officer will be provided where required in accordance with this Policy.

Councils existing Debt Management and Financial Hardship Policy assists those Ratepayers who are experiencing financial hardship over a longer term at their primary residence. This Policy remains in place and should be accessed when Ratepayers are experiencing longer term financial hardship.

Existing Debt Prior To COVID-19

Eligible Ratepayers with existing outstanding balances prior to 30 November 2020 may not be eligible for deferral under these circumstances. Council will assess such applications on a case by case basis and the eligible Ratepayer will be contacted by Council to discuss suitable payment arrangements.

Approval and Dispute Resolution

A determination under this Policy will be assessed against the supporting documentation provided by the applicant. Each application will be considered on a case by case basis. The Ratepayer will be informed of the Chief Financial Officer's decision via email or in writing and if the applicant is not satisfied with the outcome a request for a review by Council's Internal Ombudsman via Council's website can be made.

The Chief Executive Officer can exercise their discretion in regards to adherence of the operational procedures of this Policy.

The Chief Executive Officer has the authority to ultimately make any decision under this Policy and may take into account any other factors as deemed necessary to either approve and not approve any application made under this Policy.

Council reserves the right to amend this Policy from time to time.